

After reviewing the record and considering the arguments, the Appeals Board concludes that the issue raised by claimant in this appeal is not subject to review by the Appeals Board in an appeal from a preliminary hearing order. K.S.A. 1996 Supp. 44-551 authorizes an appeal from a preliminary hearing order only on cases where there is an allegation that the administrative law judge exceeded his jurisdiction. K.S.A. 1996 Supp.

44-534a identifies certain specific jurisdictional issues. The issue raised here is not a jurisdictional issue and does not otherwise constitute an allegation that the Administrative Law Judge exceeded his jurisdiction.

**WHEREFORE**, the Appeals Board finds that the Order by Administrative Law Judge John L. Frobish, dated April 18, 1997, should, and does, remain in effect as originally entered.

**IT IS SO ORDERED.**

Dated this \_\_\_\_ day of June 1997.

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BOARD MEMBER

c: Steven L. Foulston, Wichita, KS  
William L. Townsley, III, Wichita, KS  
John L. Frobish, Administrative Law Judge  
Philip S. Harness, Director